

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, DECEMBER 12, 2002**

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Frank A. de la Fe, Hunter Mill District
Joan M. DuBois, Dranesville District
Suzanne F. Harsel, Braddock District
John B. Kelso, Lee District
Ronald W. Koch, Sully District
Ilryong Moon, Commissioner At-Large
Linda Q. Smyth, Providence District
Laurie Frost Wilson, Commissioner At-Large

ABSENT: Janet R. Hall, Mason District
Peter F. Murphy, Jr., Springfield District

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The meeting was called to order at 8:15 p.m. by Vice Chairman John R. Byers, in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Commissioner Byers MOVED THAT THE DECISION ONLY ON 2232-V02-9, MILESTONE/SPRINT PCS, BE DEFERRED INDEFINITELY.

Commissioner Harsel seconded the motion which carried by a vote of 9-0-1 with Commissioner Kelso abstaining; Commissioners Hall and Murphy absent from the meeting.

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Commissioner DuBois MOVED THAT THE PUBLIC HEARING ON 2232-D02-4 AND SEA-97-D-020, VERIZON VIRGINIA, INC., BE DEFERRED TO A DATE CERTAIN OF JANUARY 29, 2003.

Commissioners Wilson and de la Fe seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioners Hall and Murphy absent from the meeting.

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Commissioner DuBois MOVED THAT THE PUBLIC HEARING ON SE-2002-DR-026 AND 2232-D02-19, WMATA, BE DEFERRED TO A DATE CERTAIN OF JANUARY 29, 2002.

Commissioner de la Fe seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioners Hall and Murphy absent from the meeting.

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Commissioner DuBois MOVED THAT THE DECISION ONLY ON SE-2002-DR-008, DANIEL P. BURKE, BE DEFERRED INDEFINITELY.

Commissioners Wilson and de la Fe seconded the motion which carried unanimously with Commissioner Alcorn not present for the vote; Commissioners Hall and Murphy absent from the meeting.

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Commissioner Harsel announced that the deadline date for FS-B02-16, AT&T Wireless, 5637 Guinea Road, had been extended to January 31, 2003.

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Vice Chairman Byers announced that tonight was the final meeting of the Planning Commission for 2002. He noted that it had been a busy year for the Commission: 64 regular meetings held; action taken on 492 items, testimony from 801 speakers, and 30 committee meetings held. He said the first meeting of 2003 would be held on January 8 at which a swearing-in ceremony would be held for Commissioners Hall, Murphy and Wilson, who had been reappointed for new terms. He noted the election of Commission officers would take place on Wednesday, January 15, 2003 and that Commissioner Kelso would be contacting members soon to formulate the slate of officers. He thanked the Commission office staff for their hard work during the year, as well as County staff members, including the Departments of Planning and Zoning, Transportation, Public Works and Environmental Services, the County Attorney's Office, the County Executive's Office and the ever-reliable Cable Programming crew from Channel 16.

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SE-2002-DR-012 - BETTY MEADOWS (Decision Only)

(The public hearing on this application was held on November 7, 2002. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner DuBois MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE-2002-DR-012, SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED DECEMBER 11, 2002, WITH THE FOLLOWING CHANGES:

DELETE NUMBER 5; AMEND NUMBER 13 TO READ: "A SOLID WOOD FENCE AT A MINIMUM OF SEVEN FEET IN HEIGHT."
ADD A CONDITION TO ADDRESS THE FERTILIZER AND PEST MANAGEMENT PLAN.

Commissioner de la Fe seconded the motion which carried by a vote of 7-0-3 with Commissioners Alcorn, Byers and Wilson abstaining; Commissioners Hall and Murphy absent from the meeting.

Commissioner DuBois MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF THE MODIFICATION OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENT ON THE NORTHERN, EASTERN AND WESTERN PROPERTY BOUNDARIES TO THAT SHOWN ON THE SE PLAT AND AS CONDITIONED.

Commissioner de la Fe seconded the motion which carried by a vote of 7-0-3 with Commissioners Alcorn, Byers and Wilson abstaining; Commissioners Hall and Murphy absent from the meeting.

Commissioner DuBois MOVED THAT THE PLANNING COMMISSION RECOMMEND A MODIFICATION OF THE INTERIOR PARKING LOT LANDSCAPING AND A WAIVER OF THE PERIPHERAL PARKING LOT LANDSCAPING TO THAT SHOWN ON THE SE PLAT.

Commissioner de la Fe seconded the motion which carried by a vote of 7-0-3 with Commissioners Alcorn, Byers and Wilson abstaining; Commissioners Hall and Murphy absent from the meeting.

Commissioner DuBois MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A WAIVER OF THE SERVICE DRIVE.

Commissioner de la Fe seconded the motion which carried by a vote of 7-0-3 with Commissioners Alcorn, Byers and Wilson abstaining; Commissioners Hall and Murphy absent from the meeting.

Commissioner DuBois MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A MODIFICATION OF ADDITIONAL STANDARD NUMBER 5, TO ALLOW BUILDINGS TO BE LOCATED CLOSER THAN 100 FEET FROM A PROPERTY LINE; ADDITIONAL STANDARD NUMBER 6, TO ALLOW PARKING TO BE LOCATED LESS THAN 50 FEET FROM THE PROPERTY LINE; AND FINALLY OF ADDITIONAL STANDARD NUMBER 9, TO ALLOW REDUCTION IN PARKING TO THAT SHOWN ON THE SE PLAT.

Commissioner de la Fe seconded the motion which carried by a vote of 7-0-3 with Commissioners Alcorn, Byers and Wilson abstaining; Commissioners Hall and Murphy absent from the meeting.

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RZ-2002-HM-009 - BRADFORD WHITE & ASSOCIATES

FDP-2002-HM-009 - BRADFORD WHITE & ASSOCIATES (Decisions Only)

(The public hearing on these applications was held on December 11, 2002. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ-2002-HM-009, SUBJECT TO THE EXECUTION OF PROFFERS CONSISTENT WITH THOSE DATED DECEMBER 11, 2002.

Commissioner Koch seconded the motion which carried by a vote of 8-0-2 with Commissioners Kelso and Wilson abstaining; Commissioners Hall and Murphy absent from the meeting.

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION APPROVE FDP-2002-HM-009.

Commissioner Koch seconded the motion which carried by a vote of 8-0-2 with Commissioners Kelso and Wilson abstaining; Commissioners Hall and Murphy absent from the meeting.

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A VARIANCE TO ALLOW A SIX-FOOT HIGH FENCE ALONG WEST OX ROAD PER PARAGRAPH 3F OF SECTION 10-104.

Commissioner Koch seconded the motion which carried by a vote of 8-0-2 with Commissioners Kelso and Wilson abstaining; Commissioners Hall and Murphy absent from the meeting.

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S01-CW-4CP - OUT-OF-TURN PLAN AMENDMENT (Decision Only)

(The public hearing on this application was held on November 14, 2002. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Wilson MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF OUT-OF-TURN PLAN AMENDMENT S01-CW-4CP TO THE BOARD OF SUPERVISORS AS STATED IN THE STAFF REPORT DATED OCTOBER 30, 2002.

Commissioner Kelso seconded the motion which carried by a vote of 8-0-2 with Commissioners Alcorn and Harsel abstaining; Commissioners Hall and Murphy absent from the meeting.

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PFM AMENDMENT (Storm Drainage Pipes) (Decision Only)

(The public hearing on this application was held on November 7, 2002. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Moon MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE AMENDMENT TO THE PUBLIC FACILITIES MANUAL DEALING WITH HIGH DENSITY POLYETHYLENE PIPE, AS RECOMMEND BY STAFF IN ITS REPORT DATED OCTOBER 7, 2002.

Commissioner Kelso seconded the motion which carried by a vote of 7-0-3 with Commissioners Alcorn, Byers and Wilson abstaining; Commissioners Hall and Murphy absent from the meeting.

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SILVER LAKE LAND BAY D BUILDING ELEVATIONS
(PCA-82-L-030-9/RZ-1996-LE-034)

Commissioner Kelso MOVED THAT THE PLANNING COMMISSION APPROVE BY ADMINISTRATIVE REVIEW, THE BUILDING ELEVATIONS FOR IHOP TO BE CONSTRUCTED IN ACCORDANCE WITH PCA-82-L-030-9 AND RZ-1996-LE-034 AND ASK STAFF TO SO NOTIFY THE PLAN REVIEW BRANCH OF THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES.

Commissioner Wilson seconded the motion which carried unanimously with Commissioners Hall and Murphy absent from the meeting.

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ORDER OF THE AGENDA:

Secretary Harsel set the following order for the agenda items:

1. 2232-H02-21 - SPRINT PCS
2. SE-2002-PR-031 - THE MITRE CORPORATION
3. 2232-D02-14 - WASHINGTON DC SMSA LP D/B/A VERIZON WIRELESS
SEA-80-D-045-7 - WASHINGTON DC SMSA LP D/B/A VERIZON WIRELESS
4. CPA-86-C-121-2-2 - RESTON SPECTRUM LIMITED

This order was accepted without objection.

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2232-H02-21 - SPRINT PCS - Appl. under provisions of *Va. Code* Sects. 15.2-2204 and 15.2-2232, as amended, to construct a telecommunications facility, consisting of an 84-ft. tall monopole and equipment cabinets, at the

Frying Pan Fire Station No. 36, located at 2660 West Ox Rd., Herndon. The proposed monopole will be designed to look like a flagpole with internal antennas. Tax Map 25-1 ((1)) 18E. HUNTER MILL DISTRICT. PUBLIC HEARING.

Mr. David Jillson, Planning Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended that the Planning Commission find the proposed telecommunications facility to be substantially in accord with the provisions of the adopted Comprehensive Plan.

James Michal, Esquire, with Jackson and Campbell, stated that the subject application had been before the Planning Commission on December 6, 2001. He said at that time, the Commission recommended that Sprint withdraw the application and request the Park Authority to reconsider its previous denial to place the pole in Frying Pan Park. He said the Park Authority once again denied Sprint's request to place the pole in the park, therefore, the subject application had been filed requesting approval to place the pole at the Frying Pan Fire Station. He said the coverage needs of Sprint had not changed since that time and either the park site or the fire station site would satisfy their needs. He presented a photo simulation of a flagpole as well as a photo of an actual flagpole located in the Dranesville District. He described the coverage gaps in the area and said if the facility was approved, virtually all the gaps would be eliminated along Centreville Road and West Ox Road. He said he understood that Commissioner de la Fe wanted to defer a decision on the application so that the Park Authority could be approached once more. He said he was hoping for a resolution soon so that Sprint could erect the pole and provide service to its subscribers.

Mr. Michal responded to a question from Commissioner Wilson about Sprint's coverage gaps in the area.

Vice Chairman Byers called the first listed speaker and recited rules for testimony before the Commission.

Ms. Sarah Newman, 13608 Floris Street, Herndon, said she did not agree with staff that a pole at the fire station would be unobtrusive. She said the community was not opposed to placing it in Frying Pan Park and requested that the application be deferred so that a compromise could be explored with the Park Authority. She also said a deferral would allow time to explore alternative sites such as the high voltage towers or the Verizon monopole located in close proximity to the fire station. She said although these sites might not provide the perfect solution to Sprint's coverage needs, it would represent a compromise with the community.

In response to a question from Commissioner Wilson, Ms. Newman said she did not believe the Verizon monopole was at capacity.

There were no further speakers, therefore, Vice Chairman Byers called upon Mr. Michal for a rebuttal statement.

Mr. Michal said the Verizon pole would not provide the coverage Sprint needed and the gaps along Centreville Road would still exist. He made it clear that if it had been a suitable site, it would have been used.

Commissioner de la Fe submitted for the record e-mail comments he had received on this application, noting that the majority of them were opposed to a pole at the fire station. (These comments are in the date file.)

There were no further comments or questions from the Commission and staff had no closing remarks, therefore, Vice Chairman Byers closed the public hearing and recognized Commissioner de la Fe for action on this application. (A verbatim excerpt is in the date file.)

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Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION DEFER 2232-H01-21 FOR DECISION ONLY TO A DATE CERTAIN OF JANUARY 16, 2003.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioner Kelso not present for the vote; Commissioners Hall and Murphy absent from the meeting.

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SE-2002-PR-031 - THE MITRE CORPORATION - Appl. under Sect. 9-620 of the Zoning Ordinance to permit a waiver of certain sign regulations. Located at 7515 and 7525 Colshire Dr. on approx. 19.68 ac. of land zoned C-3 and HC. Tax Map 30-3 ((28)) 3A and 4A2. PROVIDENCE DISTRICT. PUBLIC HEARING.

Ms. Hillary Zahm, with Cooley Godward LLP, reaffirmed the affidavit dated November 15, 2002. There were no disclosures by Commission members.

Ms. Cathy Lewis, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Commissioner Smyth noted that a revision had been made to Development Condition Number 6, which specified that the signs would not be internally lit and would be lit by the existing lights on the property.

Ms. Zahm said approval of the application would allow Mitre to install much needed directional signage within their Tysons Corner campus headquarters. She explained that these signs would guide employees and visitors to appropriate locations within the three-building campus and should resolve the confusion many of them currently encountered upon arriving at the Colshire Drive cul-de-sac. She noted, as mentioned by Commissioner Smyth, that there was one minor change to the development conditions which would allow the applicant to continue using site

lighting to illuminate the signage to resolve any issue with lighting of the signage internally. She said the applicant had worked closely with the Providence District Supervisor, Commissioner Smyth and staff, and she requested a favorable recommendation.

Ms. Zahm responded to a question from Commissioner Wilson about internal lighting of the signage.

Vice Chairman Byers called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There were no further comments or questions from the Commission and staff had no closing remarks, therefore, Vice Chairman Byers closed the public hearing and recognized Commissioner Smyth for action on this application. (A verbatim excerpt is in the date file.)

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Commissioner Smyth MOVED THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF SE-2002-PR-031, SUBJECT TO PROPOSED DEVELOPMENT CONDITIONS NOW DATED DECEMBER 12, 2002.

Commissioner Wilson seconded the motion which carried unanimously with Commissioner Kelso not present for the vote; Commissioners Hall and Murphy absent from the meeting.

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SEA-80-D-045-7 - WASHINGTON DC SMSA LP D/B/A VERIZON WIRELESS - Appl. under Sect. 3-204 of the Zoning Ordinance to amend SE-80-D-045 previously approved for housing for the elderly and telecommunications facility to permit additional antennas. Located at 6251 Old Dominion Dr. on approx. 12.99 ac. of land zoned R-2. Tax Map 31-3 ((1)) 83. DRANESVILLE DISTRICT. PUBLIC HEARING.

David Lasso, Esquire, with Venable, Baetjer and Howard, LLP, reaffirmed the affidavit dated May 30, 2002. There were no disclosures by Commission members.

Ms. Tracy Swagler, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended that the Planning Commission find the facilities proposed under 2232-D02-14 to be substantially in accord with the Comprehensive Plan, and recommended approval of SEA-80-D-045-7.

Mr. Lasso stated that coverage in the subject area needed to be upgraded and that the Vinson Hall elderly housing facility was an excellent location for a number of carriers. He noted that no new structures for the equipment were necessary and that the applications had the support of the McLean Citizens Association. He explained that flush-mounting the antennas on the building would be very difficult because the rooftop structure was set so far back that the antennas would

2232-D02-14 - WASHINGTON DC SMSA D/B/A VERIZON WIRELESS December 12, 2002
SEA-80-D-045-7 - WASHINGTON DC SMSA D/B/A VERIZON WIRELESS

be too low to cast signals beyond the edge of the building. In addition, he said the fiber glass screening surrounding the rooftop mechanical equipment was not suitable for placing antennas against it. For those reasons, he said the new antennas would be mounted on masts in the same manner as the existing antennas.

In response to a question from Vice Chairman Byers, Mr. Lasso said if a material other than fiber glass was used to screen the equipment, it would not be possible to flush-mount the antennas because the signals would still hit the edge of the roof.

Vice Chairman Byers called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There were no further comments or questions from the Commission and staff had no closing remarks, therefore, Vice Chairman Byers closed the public hearing and recognized Commissioner DuBois for action on these applications. (A verbatim excerpt is in the date file.)

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Commissioner DuBois MOVED THAT THE PLANNING COMMISSION DETERMINE THAT THE FACILITIES PROPOSED UNDER 2232-D02-14 SATISFY THE CRITERIA OF LOCATION, CHARACTER AND EXTENT AS SPECIFIED IN SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*, AND ARE SUBSTANTIALLY IN ACCORD WITH THE PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioners de la Fe and Wilson seconded the motion which carried by a vote of 7-0-2 with Commissioners Byers and Koch abstaining; Commissioner Kelso not present for the vote; Commissioners Hall and Murphy absent from the meeting.

Commissioner DuBois FURTHER MOVED THAT THE PLANNING COMMISSION RECOMMENDED TO THE BOARD OF SUPERVISORS APPROVAL OF SEA-80-D-045-7, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED NOVEMBER 27, 2002, CONTAINED IN APPENDIX 1 OF THE STAFF REPORT, WITH THE CHANGE TO CONDITION NUMBER 4 TO REFLECT THE MAXIMUM OF SIX ANTENNA.

Commissioner Wilson seconded the motion which carried by a vote of 7-0-2 with Commissioners Byers and Koch abstaining; Commissioner Kelso not present for the vote; Commissioners Hall and Murphy absent from the meeting.

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CPA-86-C-121-2-2 - RESTON SPECTRUM LIMITED PARTNERSHIP -
Appl. to amend the 2nd Conceptual Plan for RZ-86-C-121 to permit a drive-through bank. Located in the N.E. corner of Fountain Dr. and Bowman Towne Dr. on approx. 1.50 ac. of land zoned PRC. Tax Map 17-1 ((1)) 3P pt. HUNTER MILL DISTRICT. PUBLIC HEARING.

Mark Looney, Esquire, with Cooley Godward, LLP, reaffirmed the affidavit dated November 25, 2002. There were no disclosures by Commission members.

Ms. Leslie Johnson, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Mr. Looney stated that the site was originally approved under the existing concept plan for a 10,000 square foot retail pad site. He said All First Bank desired to construct a drive-through bank on the site, the last remaining undeveloped pad site within the Spectrum Retail Center. He described the location of the property and said it was more appropriate for a drive-through use than the originally planned retail pad site. He noted that the applicant had worked with the community, the proposal had the endorsement of the Reston Planning and Zoning Committee, and staff's concerns about screening the drive-through had been addressed. He requested a favorable recommendation.

In response to a question from Commissioner Harsel, Mr. Looney said no lighting on the site was being proposed at the present time. Commissioner de la Fe noted that the site would be subject to the Reston Towne Center lighting plan.

Vice Chairman Byers called for speakers from the audience, but received no response. He noted that no rebuttal was necessary. There were no further comments or questions from the Commission and staff had no closing remarks, therefore, Vice Chairman Byers closed the public hearing and recognized Commissioner de la Fe for action on this application. (A verbatim excerpt is in the date file.)

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Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION APPROVE CPA-86-C-121-2-2, SUBJECT TO THE CONCEPTUAL NOTES NOW DATED DECEMBER 6, 2002.

Commissioners Koch and Wilson seconded the motion which carried unanimously with Commissioner Kelso not present for the vote; Commissioners Hall and Murphy absent from the meeting.

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The meeting was adjourned at 9:40 p.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

CLOSING

December 12, 2002

For a verbatim record of this meeting, reference may be made to the audio and video recordings which may be found in the Office of the Planning Commission of Fairfax County, Virginia.

Minutes by: Linda B. Rodeffer

Approved on: September 9, 2004

Linda B. Rodeffer, Clerk to the
Fairfax County Planning Commission